

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:06-cv-00400-BR**

SUELLEN E. BEAULIEU, et al,

Plaintiffs

v.

EQ INDUSTRIAL SERVICES, INC., et al,

Defendants.

**MOTION FOR ORDER EXTENDING
TIME TO FILE MEMORANDUM IN
SUPPORT OF MOTION FOR CLASS
CERTIFICATION**

**This Document Relates To:
ALL CASES**

**MOTION FOR ORDER EXTENDING TIME TO FILE MEMORANDUM IN SUPPORT
OF MOTION FOR CLASS CERTIFICATION**

NOW COME PLAINTIFFS, by and through the undersigned counsel, and move for an order extending the time for the Plaintiffs to file and serve their memorandum and all attached exhibits thereto in support of the Motion for Class Certification [Doc. #137]. In support of this motion, Plaintiffs show as follows:

1. That Plaintiffs' deadline to file their Motion for Class Certification and Memorandum in support thereof was January 2, 2008.
2. That Plaintiffs timely filed their Motion for Class Certification, but due to technical difficulties, were unable to file the memorandum and attached exhibits along with the motion.
3. That the Memorandum is finalized, but Plaintiffs have had technical problems with scanning, converting, and uploading the numerous exhibit documents.
4. That plaintiffs expect to have these technical problems solved no later than 9:00 a.m. on January 3, 2008 and Defendants will suffer no prejudice therefrom. Indeed, by the

beginning of the business day on January 3, 2008, Defense Counsel will have the Memorandum in their possession. Due to the lateness of the hour, Plaintiffs' Counsel could not contact Defense Counsel to determine whether or not they oppose this motion for a brief extension.

Wherefore, Plaintiffs respectfully request a brief extension until 9:00 a.m. on January 3, 2008 to file their Memorandum in Support of the Motion for Class Certification and attached exhibits.

Respectfully submitted, this, the 3rd day of January 2008.

ZAYTOUN & MILLER, PLLC
Liaison Counsel for Plaintiffs

By: /s/ Shiloh Daum

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CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served the foregoing **MOTION FOR ORDER EXTENDING TIME TO FILE MEMORANDA IN SUPPORT OF MOTION FOR CLASS CERTIFICATION** on the Court's electronic docketing system. By previous Case Management Order, Liaison Counsel are authorized and designated to receive filing electronically from the Court on behalf of all defendants. Therefore, the undersigned upon information and belief certifies that all counsel of record as noted below, will receive a copy of these papers through the Court's electronic notice system:

This, the 3rd day of January 2008.

ADDRESSED TO:

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/s/ Shiloh Daum
Shiloh Daum

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Plaintiffs

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**PROPOSED ORDER
GRANTING PLAINTIFFS' MOTION
FOR ORDER EXTENDING TIME TO
FILE MEMORANDA IN SUPPORT OF
MOTION FOR CLASS CERTIFICATION**

**This Document Relates To:
ALL CASES**

This Cause comes before the Court upon Plaintiffs' Motion for an order extending the time to file their memoranda in support of the motion for class certification. The Court finds that just cause exists for Plaintiffs' Motion, and no prejudice will result to the defendants. Accordingly, it is ORDERED AND ADJUDGED that Plaintiffs must submit their memorandum in support of the motion for class certification no later than 9:00 a.m. on January 3, 2008.

So ORDERED, this _____ day of January, 2008.

James E. Gates

United States Magistrate Judge